

Rev 2/06

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Peter Novak  
 PCT Application No : PCT/US05/10318  
 PCT Filed On : March 28, 2005  
 Entry (Deposit) Into  
 US Natl. Phase on : Herewith  
 Title : A SYSTEM AND METHOD FOR GAIT  
                           SYNCHRONIZED VIBRATORY STIMULATION  
                           OF THE FEET  
 Attorney's Docket : BU-099XX

\* \* \* \* \*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on \_\_\_\_\_.

By: \_\_\_\_\_

Registration No.  
 Attorney for Applicant(s)

\* \* \* \* \*

INFORMATION DISCLOSURE STATEMENT

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

It is desired to cite for the record in this application the enclosed references listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

- [X] (1) Pursuant to 37 C.F.R. § 1.97(b)(1) and (2), the attached Information Disclosure Statement is being filed within three months of the filing date of the above identified national application or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 of the above

-1-

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ALL REFERENCES CONSIDERED EXCEPT WHERE DENIED THROUGH. 7Q.T./

Attorney Docket No. BU-099XX  
Filed: Herewith

identified application. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (2) Pursuant to 37 C.F.R. § 1.97(b)(3), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action on the merits. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (3) Pursuant to 37 C.F.R. § 1.97(b)(4), applicant(s) believes the attached Information Disclosure Statement is being filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Accordingly, applicant(s) believes that no fee or statement under 37 C.F.R. § 1.97(e) is required.

[ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the attached Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by:

- [ ] a statement under 37 CFR § 1.97(e); or
- [ ] the fee set forth in § 1.17(p).

#### PETITION UNDER 37 CFR § 1.97(d)

[ ] (5) Pursuant to 37 CFR § 1.97(d), applicant(s) hereby petitions the Commissioner to consider the attached Information Disclosure Statement which is being filed on or before payment of the issue fee. This petition is accompanied by a statement under 37 C.F.R. § 1.97(e) and the petition fee set forth in 37 C.F.R. § 1.17(p).

#### STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[ ] (6) The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

#### STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[ ] (7) The undersigned hereby states that no item of information contained in the attached Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the attached Information Disclosure

Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Where the status of the application has changed, unknown to the applicant, such that the boxes checked are no longer applicable, the Commissioner is authorized to accept this submission with any additional fees required by that change charged to Deposit Account No. 23-0804.

The filing of this Information Disclosure Statement is not a representation by the undersigned as to personal knowledge of the contents of every word or phrase of the material enclosed or that reliance on other suitably trained professionals has not been made. The filing of this Information Disclosure Statement is not to be construed to be an admission that the information cited herewith is, or is considered to be, material to patentability as defined in 37 CFR §1.56(b), or that Applicant(s) is(are) unable to provide an affidavit under 37 CFR §1.131 swearing back of such information.

The art was cited in PCT International Search Report mailed September 9, 2005 in International Application No. PCT/US05/10318 filed March 28, 2005 (copy enclosed).

If a search report of a searching agency is enclosed identifying the nature of the relevance of each document, such a designation is deemed to satisfy 37 C.F.R. § 1.98(a)(3) even if in a foreign language because the codes are the same in all languages. However, applicant(s) does not necessarily adopt the position reflected by that report.

Receipt date: 09/26/2006

10/594407  
IAP01 Rec'd PCT/PTO 26 SEP 2006

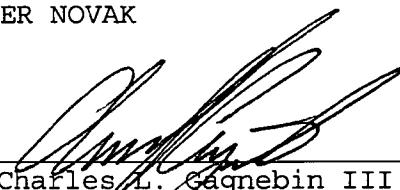
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Attorney Docket No. BU-099XX  
Filed: Herewith

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 23-0804. Triplicate copies of this letter are enclosed.

Respectfully submitted,

PETER NOVAK

By: 

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CLG/dkh/341968.1  
Enclosure

- 4 -

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10/594407  
IAP01 Recd PCT/PTO 26 SEP 2006  
Date: September 26, 2006  
Page 1 of 1

<b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE CITATION</b> <i>(Use several sheets if necessary)</i>				ATTY. DOCKET NO.	APPLICATION NO.		
				BU-099XX	unassigned		
				APPLICANT: Peter Novak			
				FILING DATE Herewith	TC ART UNIT unassigned		
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NUMBER	PUBLICATION/ ISSUE DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	US 6,122,846	9/26/00	Gray et al.	36	136		
	US 5,269,081	12/14/93	Gray	36	136		
	US 5,913,838	6/22/99	Reilly	601	58		
	US 5,357,696	10/25/94	Gray et al	36	136		
	US						
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<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES      NO	
						YES	NO
						YES	NO
						YES	NO
						YES	NO
<b>OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, etc.)</b>							
EXAMINER	/Quang Thanh/		DATE CONSIDERED		01/28/2010		
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Art cited in PCT International Search Report mailed September 9, 2005 in International Application No. PCT/US05/10318 filed March 28, 2005.

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EV 223349608 US

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